

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4403 of 2016

Arising Out of PS.Case No. -331 Year- 2015 Thana -SAHPUR District- BHOJPUR

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1. Bindhyachal Prasad Sharma, S/o Kamakhya Prasad Sharma
 2. Kamakhya Sharma @ Kamakhya Prasad Sharma, S/o Pashuram Sharma
- Both are resident of village- Sahpur, P.S.- Sahpur, District- Bhojpur
- Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajani Ranjan Pd. Singh, Advocate

For the Opposite Party/s : Mr. Sadanand Paswan(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 01-02-2016

Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 341, 323, 354/34 of the Indian Penal Code and 3(1) (x) of the S.C./S.T.(Prevention of Atrocities) Act.

The prosecution case is that the petitioner no. 2, Kamakhya Sharma @ Kamakhya Prasad Sharma pushed the wife of the informant and when she fell down he started pull rope of petticoat of informant's wife and abused by calling caste name. It is alleged that petitioner no. 1, Bindhyachal Prasad Sharma assaulted with iron rod to the informant.

It is submitted by the learned counsel for the petitioners that petitioners' side lodge Sahpur P.S. Case No.

330 of 2015 on 11.11.2015 at 10.45 P.M. against the informant, whereas the present case has been lodged on 11.11.2015 at 11.05 A.M. There is no injury caused to the informant side. Statement has been made in para-3 of the petition that petitioners have no criminal antecedent.

Considering the case lodged by the petitioners' side at earlier point of time, let the above named petitioners be released on bail in the event of their arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Sahpur P.S. Case No. 331 of 2015, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Dinesh Kumar Singh, J)

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